

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Phillip Gonzalez

Case Number: 2:06CR06016-001

Address of Offender: , Pasco, WA 99301

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 4/9/2007

Original Offense: Possession of an Unregistered Firearm, 26 U.S.C. § 5861

Original Sentence: Prison - 41 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Shawn N. Anderson Date Supervision Commenced: 12/24/2009

Defense Attorney: Rick Lee Hoffman Date Supervision Expires: 12/23/2012

PETITIONING THE COURT

To issue a warrant and incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 4/17/2012 and 06/21/2012.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

7 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Phillip Gonzalez is considered in violation of his term of supervised release as he possessed marijuana and attempted to mail it on or about June 21, 2012. He was arrested by law enforcement on June 29, 2012.

According to the Kennewick Police Department incident report, the defendant attempted to mail two packages at a mail delivery store on or about June 21, 2012. One package was a FedEx box with a delivery address in Florida and a return address to the defendant at 4319 Sahara Drive, Pasco, Washington. The store employee noticed this package emanating a strong odor of marijuana and inspected the contents. Located in the box were two separate bags of green leafy matter, some loose garbage including an inmate property sheet in the defendant's name, and a brown paper lunch bag with the name "Phil." Also in the box were unused tea bags and within the tea bags were the two packages of the suspected marijuana. Law enforcement was contacted and the package was placed into evidence. The substance was field tested by the Kennewick Police Department evidence technician on June 28, 2012, and confirmed to be marijuana. One package weighed 13.84 grams and the other weighed 12.74 grams.

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Re: Gonzalez, Phillip

July 20, 2012

Page 2

Law enforcement confirmed the defendant was the person attempting to mail the packages. The defendant contacted the mail company via his cellular telephone, on June 28, 2012, to obtain the tracking number for the FedEx package. He was arrested by police officers on June 29, 2012, at his place of employment. He has been formally charged in Benton County Superior Court case 12-1-00781-4, with delivery of marijuana.

Mr. Gonzalez contacted this officer on July 17, 2012, and left a voice mail message admitting he mailed the package and he knew he should not have done so, but he had the marijuana and wanted to get rid of it so he gifted it to a friend.

8

Special Condition # 16: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Phillip Gonzalez is considered in violation of his supervised release as he failed to report for a drug test on or about July 13, 2012. Mr. Gonzalez was placed on color-line phase testing with First Step Community Counseling Services. He is required to call the color line Monday through Saturday and report for drug testing when the color brown is listed. The defendant was required to report for a drug test on July 13, 2012, and failed to do so. He did not contact this officer with an explanation for his nonappearance. This officer contacted the defendant regarding the missed test, and he advised he went camping with his family and was out of cellular telephone service. He advised he knew he had to call the color-line daily, but decided he would go camping instead to spend time with his family.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 07/20/2012

s/SanJuanita B. Coronado

SanJuanita B Coronado
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Other

s/ Fred Van Sickle

Signature of Judicial Officer

7/23/12

Date